Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
05/05/15	East Patrol Division/ Temple Station	☐	☑

Incident Information

URN: 015-05415-0560-052	Date: 05/05/15 Time: 1243 hours
City or Station: South El Monte	Nature of Incident: Deputies responded to an ADW call (T-136). Deputies gave the suspect verbal commands to drop a meat cleaver. The suspect advanced with the cleaver raised, which resulted in a shooting.
Location: [redacted] Enloe Street	

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (*check only one*):
- ☐ Darkness
- ☑ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☐ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance:

Incident Type (*check one or more*):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☑ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☐ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
20	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
None				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted] Home Ph. [redacted]
Last Name [redacted]	First Name [redacted]	M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted] Home Ph. [redacted]
Last Name [redacted]	First Name [redacted]	M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted] Home Ph. [redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Miranda	Ronald	-	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Dexter	James	R.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Jacob	Coronne	NMN

PSTD Use Only

SH # 2378885

Officer Involved Shooting

JRN: 015-05415-0560-052

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
05/05/15	1505 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Harpham	Richard	J.
[redacted]	Smeltzer	Chad	E.
[redacted]	Godwin	Brian	D.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OB	UNK	N/A	N	N/A	NN	NN
E#1	S#1	FH	BR	9	Y	Y	GS	CH
S#1	E#2	OB	UNK	N/A	N	N/A	NN	NN
E#2	S#1	FH	BR	9	Y	Y	GS	CH

Officer Involved Shooting
Involved Employee Information

URN: 015-05415-0560-052

Involved Employee

E 1

Employee # [redacted]	Last Name: Nunez	First Name: Joseph	M.I.: L.
Sex: M Race: H	Rank: Deputy	Unit Assignment: Temple Station	Work Assignment (Unit #, Module, etc.): Unit 55
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'10	Weight: 185		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta Caliber: 9mm # Shots: 11		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Silva	First Name: Ofelia	M.I.: S.
Sex: F Race: H	Rank: Deputy	Unit Assignment: Temple Station	Work Assignment (Unit #, Module, etc.): Unit 55T-1
ShiftTime (*circle only one*): ☐ EM ☐ PM ☑ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'03	Weight: 170		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta Caliber: 9mm # Shots: 9		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber: # Shots:		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 015-05415-0560-052

Suspect Information

S 1

Last Name: Thong	First Name: Ma	M.I. K.
AKA Last Name	First Name	M.I.

Sex: M Race: Asian	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: None	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 35 D.O.B. 12/04/72	Height: 5'07 Weight: 170	FBI # [redacted]	CII # [redacted]
Booking # N/A	Primary Charge: 187(a) PC	Secondary Charge:	
Coroner Case? ☑	Coroner Case # 2015-03094	Intoxication/Drug Usage? ☑	Substance Used: Marijuana
Armed? ☑	Apprehended? ☑	Mental Illness? ☑	Criminal History? ☑
Vehicle Make N/A		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

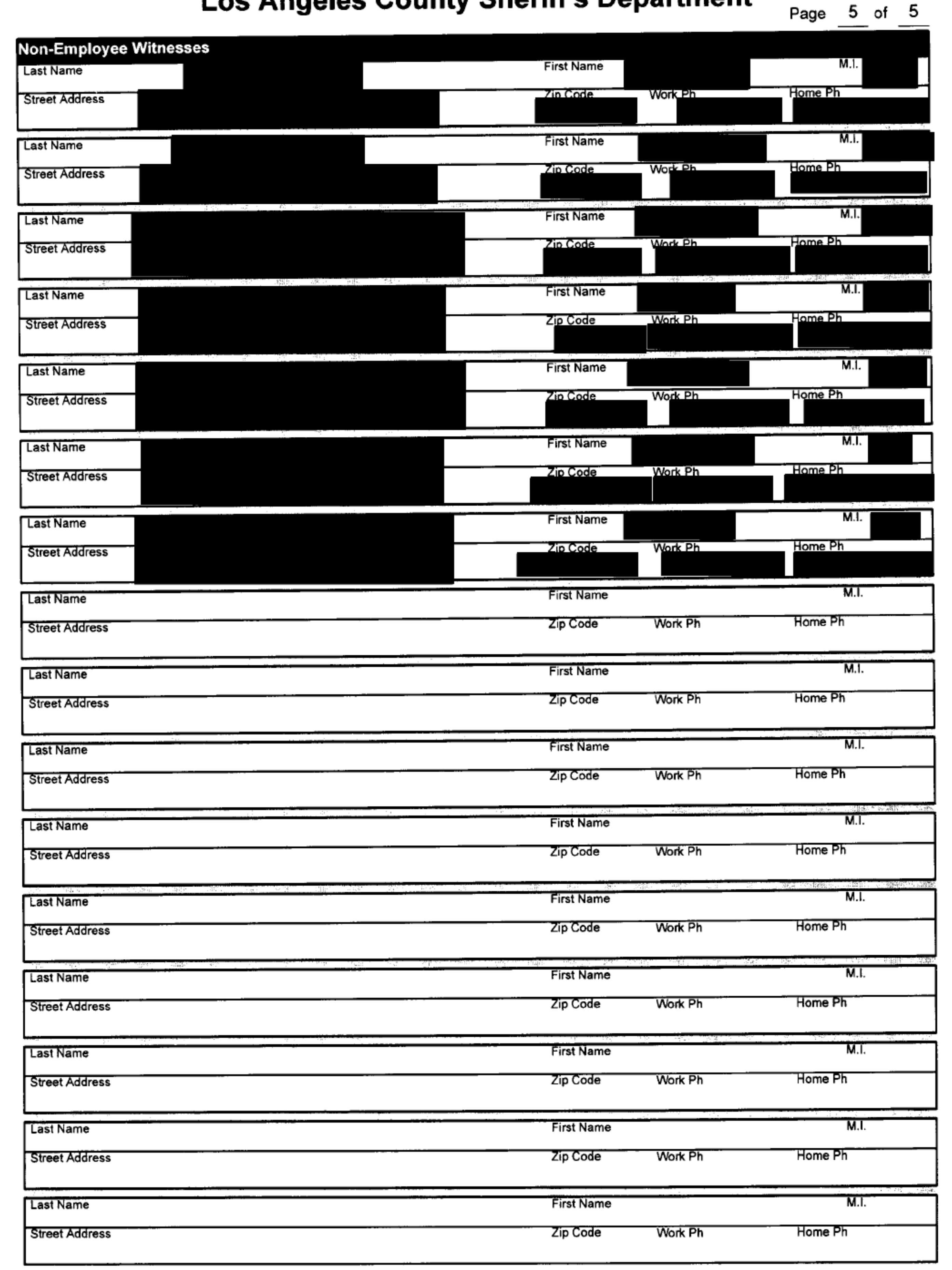
Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:



SUPPLEMENTAL NON-EMPLOYEE WITNESSES

Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Deputy involved hit shooting, suspect deceased**

IAB FILE NUMBER **SH 2378885**

URN#: **015-05415-0560-011**

DATE/TIME: **May 5, 2015, 1240 hours**

LOCATION: [redacted] **Enloe Street, South EL Monte**

SYNOPSIS

On Tuesday, May 5, 2015, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Richard Harpham, Sergeants Chad Smeltzer and Brian Godwin, responded to an incident command post regarding a deputy involved hit shooting. The command post was established by Temple Station personnel. The shooting resulted in the death of Suspect Ma, Thong Kien. On July 27, 2016, the case was reassigned to IAB Sergeant Nader Chahine.

Detectives Robert Kenney and Jose Espino from the Los Angeles County Sheriff's Department Homicide Bureau arrived and assumed control of the homicide investigation. For further information regarding the homicide investigation refer to the homicide case book, under URN 015-05415-0560-011 **[EXHIBIT A]**.

On May 5, 2015, at approximately 1239 hours, Temple Station received a frantic "9-1-1" call **[EXHIBIT C, "DVD" disc one**) from Witness [redacted] regarding an assault with a deadly weapon in progress at [redacted] Enloe Street. Witness [redacted] who sounded terrified, told the dispatcher, "I have an emergency, the Man is killing my neighbor!" He's stabbing him with the Machete!" Temple Station desk personnel generated incident number (Tag 136) and dispatched Deputies Joseph Nunez (Unit 55), Ofelia Silva (Unit 55T10), Beatriz Comparan (Unit 53), and Sergeant Ronald Miranda (Unit 50S) to respond "Code 3," to [redacted] Enloe Street. Deputy Nunez was assigned as the handling unit.

Deputy Nunez acknowledged the "Code 3," call in two minutes, as he responded from Rush Street and Rosemead Boulevard, approximately 1.3 miles from [redacted] Enloe Street. Prior to Deputy Nunez' arrival, he received an update on the call indicating the suspect, later identified as Thong Kien Ma, was now trying to cut off the victim's (later identified as [redacted]) head.

Deputy Nunez was the first unit to arrive. As Deputy Nunez turned east on Enloe Street from Central Avenue, he noticed a female Asian, later identified as Witness [redacted] frantically trying to get Deputy Nunez' attention. Deputy Nunez observed Witness [redacted] face and head were covered in blood. Deputy Nunez stopped his patrol vehicle just west of [redacted] Enole Street, not yet aware of Suspect Ma's location.

Deputy Nunez exited his patrol vehicle and contacted Witness [redacted] in the middle of the street in front of [redacted] Enloe Street. Deputy Nunez was unable to understand what Witness [redacted] was saying, as she was hysterically distraught and pointing south toward [redacted] Enloe Street. Deputy Nunez also observed approximately 10 people standing on the north sidewalk across from [redacted] Enloe Street, frantically screaming and yelling, as they were pointing toward [redacted] Enloe Street.

Because of the frantic behavior of Witness [redacted] and the "chaos" of the crowd, as they pointed south toward [redacted] Enloe Street, Deputy Nunez believed there could be other victims. Deputy Nunez approached the front of [redacted] Enloe Street with his service weapon drawn and positioned himself on the west side of the location outside the gate.

Deputy Nunez observed Suspect Ma on his knees, in the planter area in the front yard of the house, facing northwest. Suspect Ma was holding a "Machete," (later identified as a meat cleaver) in his right hand and chopping in a downward motion toward the ground. Deputy Nunez was unable to see what Suspect Ma was striking, as the vegetation in the planter blocked his view. Deputy Nunez broadcasted via his hand held radio that he was detaining Suspect Ma at gun point, that he was armed with a "Machete," and requested responding units to deploy a "StunBag," (less lethal weapon, bean bag round) to his location. Deputy Nunez constantly ordered Suspect Ma to drop the meat cleaver, but he did not comply **[See pages 10 through 13 of Deputy Nunez' Homicide transcript].**

> **IAB Note: Deputy Nunez said the striking down with the meat cleaver by Suspect Ma sounded like he was hitting a root or rock [See page 12 of Deputy Nunez' IAB transcript].**

Deputy Nunez repositioned himself near the driveway gate, east of the location and was able to see the victim, later identified as Victim [redacted], on the ground in the flower bed. Suspect Ma vigorously struck the head of Victim Chu Ma Ngo with the meat cleaver approximately four to five times. Deputy Nunez continued to order Suspect Ma to drop the meat cleaver, but he did not comply. Deputy Nunez was concerned for Victim [redacted] and wanted to help save Victim [redacted] life. Deputy Nunez slid the driveway gate open and entered the yard. Deputy Nunez positioned himself on the passenger side of a "bluish-gray" van parked at the end of the driveway (approximately 20 to 30 yards away) behind two other vehicles **[See pages 6 through 13 of Deputy Nunez' IAB transcript].**

Suspect Ma stood up, turned his attention toward Deputy Nunez, and raised the meat cleaver in his right hand. Suspect Ma began charging toward Deputy Nunez, yelling, "You're going to have to kill me!" Deputy Nunez said, "I was yelling as loud as I could," for Suspect Ma to drop the meat cleaver and stop, but Suspect Ma did not comply.

Deputy Nunez, in fear for his life, fired two or three rounds from his service weapon (Beretta 9-millimeter) from a distance of approximately 20 yards. Suspect Ma appeared to have suffered gunfire wounds to his upper body, as he stopped and hunched over on one knee.

Deputy Nunez advised via radio that he had been involved in a "998," deputy- involved shooting, that Suspect Ma still possessed the "Machete" in his hand, and Victim [redacted] was on the ground injured. Deputy Nunez heard Deputy Silva's voice as she arrived, taking a position slightly behind him to his right **[See pages 16 through 22 of Deputy Nunez' Homicide transcript].**

Deputy Nunez continued to give Suspect Ma commands to drop the meat cleaver, as Suspect Ma stood up and started aggressing toward the deputies. Suspect Ma held the meat cleaver over his head with his right hand and charged at the deputies. Fearing for their lives, both deputies simultaneously fired their firearms. Deputy Nunez fired another two or three rounds from his service weapon and Deputy Silva fired one or two rounds from her service weapon (Beretta 9-millimeter). Suspect Ma was now 10 feet 15 away from the deputies, as Suspect Ma fell forward onto his knees.

Both Deputies Nunez and Silva ordered Suspect Ma repeatedly to drop the meat cleaver and get on the ground. Suspect Ma ignored their commands and started to get up on his feet, as he stumbled toward the deputies. Suspect Ma still held the meat cleaver in his right hand moving it back and forth, as if he was going to throw the meat cleaver at the deputies. Deputies Nunez and Silva both fired their service weapons two or three times in fear for their lives and as well as the lives of the crowd of people outside. Suspect Ma fell onto his side and then rolled over on his back and stopped moving.

Deputies Nunez and Silva maintained their positions and held Suspect Ma at gunpoint. Deputy Nunez was unsure whether Suspect Ma was going to continue attacking them. Once additional units arrived, Suspect Ma was handcuffed without incident **[See pages 23 through 27 of Deputy Nunez' Homicide and pages 16 through 18 of Deputy Nunez' IAB transcript].**

At approximately 1255 hours, Los Angeles County Fire Engine 90 personnel responded and attempted to render first aid to Victim [redacted] and Suspect Ma. Paramedic Miner pronounced Victim [redacted] deceased at 1257 hours. Captain Dao pronounced Suspect Ma deceased at 1258 hours. Fire Personnel transported Witness [redacted] to Greater El Monte Hospital, where she was treated for lacerations to her forehead and face.

Witness [redacted] told Homicide investigators she heard a commotion outside of her house, yelling and screaming. Witness [redacted] went outside and saw her husband (Victim [redacted]) being stabbed by Suspect Ma with a knife, in the driveway in front of her house. Witness [redacted] attempted to intervene but Suspect Ma slashed her with the knife on her forehead. Witness [redacted] ran toward her neighbor's house and asked them to call "9-1-1" **[See pages 8 through 13 of Witness [redacted] Homicide transcript].**

RADIO TRAFFIC:

1239: - 911 call (Tag 136) received
12:41:19- Call Dispatched
12:41:27- Deputy Nunez (Unit 55) acknowledged code 3 in 2 minutes
12:41:38- Deputy Silva code 3 acknowledged in 3 minutes
12:41:50- Unit 55 requested Aero
12:42:32- Unit 55 coordinated the call
12:43:10- Call updated the Suspect is trying to cut off the victims head
12:43:14- Unit 55 requested Aero (Air 7 was 10-6), Aero gave a 2 minute ETA
12:43:58- Unit 55 code 6
12:44:03- Unit 55 requested the duplex patch (10-33) Unit 55 broadcasted he was detaining the suspect at gun point (facing southbound), who was holding a Machete in his hand. He also asked for less lethal (StunBag), from responding units
12:44:27- Unit 55T1 advised she was seconds out
12:44:40- Unit 55 broadcasted the Suspect is assaulting the victim and ordered the Suspect to drop the weapon
12:44:51- Aero requested information on the call from SCC
12:44:55- SCC advised 998 and gun fire can be heard over the radio
12:45:- SCC asked Unit 55 his status. Unit 55 advised of 998 and Suspect still armed with the "Machete" and Victim [redacted] on the ground
12:45:31- Aero advised 6 minutes out and SCC advised Fire staging
12:45:45- Fire staging at Enloe Street and Santa Anita Street
12:48- Temple Units established containment
12:55- The location secured and fire requested to roll-in
12:57- Paramedic Miner of Los Angeles County Fire Department engine 90, pronounced Victim [redacted] deceased
12:58 - Captain Dao of Los Angeles County Fire Department engine 90, pronounced Suspect Ma deceased

Los Angeles County Sheriff's Department Homicide Bureau detectives documented their investigation of the incident in their Homicide Book **[EXHIBIT A]**. The Los Angeles County District attorney's Office reviewed the investigation and authored a Letter of Opinion **[EXHIBIT B]**. The letter stated Deputies Joseph Nunez and Ofelia Silva, acted in lawful self-defense and defense of others when they used deadly force against Suspect Thong Kien Ma. There would be no further action from the District Attorney.

In addition, three compact DVD's are included as **[EXHIBIT C]**. The DVD's contain

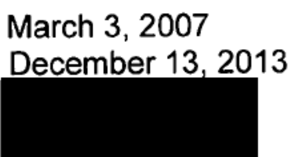
digital recordings of the 911 call and radio traffic. Also included are, photographs of the deputies and their weapons, crime scene photographs, autopsy reports of Victim [redacted] and Suspect Thong Kien Ma, Consolidated Criminal History Report System (CCHRS), and the homicide taped interviews of the deputies and witnesses.

INVOLVED EMPLOYEES AND WORK HISTORY

Joseph Nunez, Deputy Sheriff, #[redacted]
East Patrol Division
Temple Station

Work History

Date of Employment:	March 3, 2007
Date Assigned to Patrol/Temple Station:	December 13, 2013
Date Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	
Prior Founded Force Incidents:	



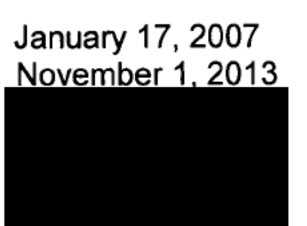
Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable Baton

Ofelia Silva, Deputy Sheriff, #[redacted]
East Patrol Division
Temple Station

Work History

Date of Employment:	January 17, 2007
Date Assigned to Patrol/Temple Station:	November 1, 2013
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	
Prior Founded Force Incidents:	



Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable Baton

SUSPECT INFORMATION

Ma, THONG KIEN
Male, Asian, DOB: December 4, 1982, 5'07", 170 pounds (Deceased)
[redacted]

CRIMINAL HISTORY

CII#[redacted]Suspect Ma's criminal history consists of [redacted] His Consolidated Criminal History Report System (CCHRS) and rap sheet are included in **[EXHIBIT A]**, and the homicide book (page 133).

SUSPECT Ma's INJURIES

Suspect Ma sustained 14 gunshot wounds. They are listed and described in the autopsy report and numbered 1 through 14. #1 was a penetrating, fatal wound, to the right chest, #2 was a penetrating, fatal wound to the right abdominal, #3 was a penetrating, and potentially life threatening wound to the left upper leg. For the additional gunshot wounds (11) gunshots sustained by Suspect Ma and descriptions, refer to homicide book pages 170-191 **[EXHIBIT A].**

TOXICOLOGY FINDINGS

Tests (vitreous and blood) of Suspect Ma were conducted by the Los Angeles County Coroner's Office. Suspect Ma was determined to have a level of marijuana, methamphetamine, and amphetamine in his system at the time the autopsy was performed. The level of intoxication in a sample of Suspect Ma's vitreous was listed as 5.9 ng/mL (Marijuana), 0.38 ug/mL (methamphetamine), and 0.07 ug/mL (amphetamine). This was detected from a fluid sample taken from his heart, refer to **[EXHIBIT A, page 214].**

DEPUTY PERSONNEL INJURIES

None

PHYSICAL EVIDENCE

All physical evidence was located and collected by the Scientific Services Bureau. Evidence was documented by Homicide Bureau Investigators and Scientific Services Bureau personnel; refer to **[EXHIBIT A, page 115-128].** Additionally a DVD containing crime scene photographs was provided with this case **[EXIHIBIT C].**

INVESTIGATORS OBSERVATIONS

The scene was described in detail by Homicide Detectives Troy Ewing and Theodor Baljet **[Exhibit A, pages 115-128]**.

Their description of the scene was consistent with IAB Investigator's observations. The scene was also photographed by the Scientific Services Bureau.

WEAPON USED BY DEPUTY NUNEZ

Deputy Nunez fired 11 rounds of Department issued 9mm ammunition from his Department issued Beretta 92F, 9mm semiautomatic pistol.

The firearm was examined by Senior Criminalist April Wong of the Scientific Services Firearms Identification section and found to be functional **[EXHIBIT A, pages 124-125]**.

Date last qualified: [redacted]



WEAPON USED BY DEPUTY SILVA

Deputy Silva fired nine rounds of Department issued 9mm ammunition from her Department issued Beretta Model 92F, 9mm semiautomatic pistol.

The firearm was examined by Senior Criminalist April Wong of the Scientific Services Firearms Identification section and found to be functional **[EXHIBIT A, pages 124-125]**.

Date last qualified: [redacted]

WEAPON USED BY SUSPECT Ma

Suspect Ma was armed with a meat cleaver, **[EXHIBIT A, page 119]**.

PROPERTY DAMAGE

Bullet impacts in the aluminum siding of the exterior east facing wall of the residence of [redacted] Enloe Street.

CRIMINAL INVESTIGATORS

The criminal investigation into the shooting was handled by Detectives Kenney and Espino of the Los Angeles County Sheriff Department's Homicide Bureau.

LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by daylight. The weather was clear and cool.

INVESTIGATION

Internal Affairs Bureau investigators interviewed the following involved Department personnel: Deputies Joseph Nunez and Ofelia Silva. The interviews were digitally recorded and transcribed. For further information and precise wording, see the attached verbatim interview transcriptions.

The following witnesses were interviewed by Los Angeles County Sheriff's Homicide Detectives: [redacted] The interviews were digitally recorded and transcribed. For more information and precise wording, see the attached verbatim interview transcriptions **[EXHIBIT C].**